

STATE V. JULIE HAMSTEAD TESTIMONY OF KEITH SIGULINSKY

NOVEMBER 14, 2017

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1 IN THE MAGISTRATE COURT OF JEFFERSON COUNTY

2 WEST VIRGINIA

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4 STATE OF WEST VIRGINIA,)

5 Plaintiff,)

6 V.) Case No. 16-M-19-M01110

7 JULIE HAMSTEAD,)

8 Defendant.)

9 EXCERPT TESTIMONY OF

10 SGT. KEITH SIGULINSKY

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12 Trial held before MAGISTRATE SENSENEY, at the

13 Jefferson County Magistrate Court, 100 East

14 Washington Street, Charles Town, West Virginia, on

15 November 14, 2017, commencing at approximately 9:15

16 a.m.

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1 Q. So what happened after that?

2 A. I believe I don't remember exactly when the
3 second call came out, but I was dispatched to Charles
4 Town. It sounded like the same incident so I went to
5 that call.

6 Q. There were several officers on the scene;
7 Correct?

8 A. Yes, I may have been the first one, I was
9 going to be the first officer to the scene.

10 Q. In the parking lot; correct?

11 A. Yes, ma'am.

12 Q. Okay. So when you first got there, what did
13 you do?

14 A. I believe it was first time when I came in
15 contact with Ms. Hamstead.

16 Q. Okay, what was she saying?

17 A. She was complaining about I believe, if I
18 remember correctly, she was talking about people tearing
19 up her sidewalk and talking about her parking spaces.

20 Q. Eventually did other law enforcement
21 government arrive on the scene?

22 A. Shortly thereafter.

23 Q. Do you know those officers?

24 A. Trooper Walker and I believe it was Trooper

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1 Newlin.

2 Q. Okay. And so where were you and Newlin and
3 Walker situated at that point on?

4 A. I was in the gravel parking lot directly from
5 across from the cruiser which was actually in the
6 parking lot. I believe Newlin and Walker were on First
7 Street.

8 Q. Okay. And who were you and Newlin talking to?

9 A. I was stating, well, I was talking to
10 Ms. Hamstead initially when they arrived. She had told
11 me basically what happened, that they hit her vehicle so
12 I went over, when they got there I told her to stay with
13 Trooper Walker while I went to talk.

14 Q. So you talked to Ms. Hamstead first?

15 A. Yes, I did. She was the first one that I
16 talked to.

17 Q. Okay. So where were you in proximity to the
18 vehicle that had been involved in the accident, the
19 truck?

20 A. Standing next to the construction workers,
21 contractor workers, we're basically standing against the
22 truck and I was facing them.

23 Q. Okay. So during the course of time while you
24 and Newlin are listening or talking to the construction

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1 workers, what was the defendant doing?

2 A. I could just hear her yelling and the
3 background which was Trooper Walker telling her she
4 needed to stay there with him.

5 Q. Could you hear her from how you were standing?

6 A. No.

7 Q. Why not?

8 A. She was immediately off to my left. I was
9 facing -- she was kind of behind me to my left.

10 Q. So kind of with your back towards her?

11 A. Yeah.

12 Q. Do you recall specifically what types of thing
13 she was saying?

14 A. She was just saying -- I could hear Trooper
15 Walker saying, Ma'am, you need to stay here, and Ma'am,
16 you need to stay here, somebody to that effect. You
17 will have to get me or something. When I heard that,
18 that's why I turned because it sounded like it was
19 closer. Because I was probably 20 or 30 feet from them.
20 When I turned that's when she was right up next to me
21 and Trooper Walker was grabbing her arm.

22 Q. Okay. What was her demeanor during that
23 period of time?

24 A. She was hysterical.

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1 Q. When you say hysterical, what do you mean?

2 A. She specifically wanted to do what she wanted
3 to do. She didn't want to listen to Trooper Walker to
4 figure out what was going on. At that moment she --
5 Trooper Walker tried to keep her from getting over to
6 me. And they walked into me and he was putting her up
7 against the truck and immediately telling to her put her
8 hands behind her back and I can see her flailing her
9 arms around hysterically.

10 Q. Was she complying with Trooper Walker's
11 commands at that time?

12 A. No.

13 Q. Okay. What was she doing?

14 A. Just kept hollering and flapping her arms
15 around.

16 Q. Did you observe Trooper Walker take her into
17 custody and put handcuffs on her?

18 A. He was continuing to try to get her to put her
19 arms behind her back. At some point they were on the
20 ground and Newlin was standing there also.

21 Q. And did you say that he was taking her into
22 custody.

23 A. No.

24 Q. How was she resisting Trooper Walker's

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1 commands?

2 A. She just was screaming and I don't remember
3 exactly what she was saying, just wasn't giving him her
4 arm. Once they went down on the ground, she was kicking
5 and flailing around.

6 Q. So she was actively not getting her arm around
7 to Trooper Walker?

8 A. Yeah.

9 Q. Okay. Did you see any of her behavior or hear
10 anything about her behavior while she was in the
11 cruiser?

12 A. No, once he took her and put her in the
13 cruiser we figured out exactly what happened.

14 Q. Okay. And so after she was put into the
15 cruiser, what did you do?

16 A. I just continued to talk to the gentleman that
17 was there. I don't remember nothing of much that went
18 on.

19 Q. Okay. Do you remember approximately how many
20 times Trooper Walker warned her to stay back and remain
21 calm?

22 A. Prior to coming towards me?

23 Q. Yeah.

24 A. At least it was several times. He was

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1 repeating himself. I don't know how many.

2 Q. Did you have any concern about Trooper
3 Walker's behavior on that day?

4 A. No.

5 Q. Did you observe the marks in the gravel?

6 A. Yes.

7 Q. Okay. Where was the Pilot stationed whenever
8 you arrived the scene?

9 A. In front of the truck that had been struck
10 right at the exit to that parking lot.

11 Q. Okay.

12 MS. MATSCHAT: May I approach, Your Honor?

13 THE COURT: Yes.

14 MS. MATSCHAT: Three through seven that I'm
15 showing him.

16 THE COURT: Okay.

17 BY MS. MATSCHAT:

18 Q. Can you identify what exactly this shows?

19 A. Front bumper of the construction vehicle.

20 Q. Okay. What specifically is that picture
21 depicting?

22 A. It looks like abrasions on the bumper.

23 Q. Okay. What does No. 4 depict?

24 A. Scuffs on the tire. I guess that's what that

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1 for the record so I don't think that this -- I
2 don't think she laid a proper foundation.

3 THE COURT: I don't think so either so I won't
4 have them in yet.

5 MS. MATSCHAT: That's all I have judge.

6 CROSS-EXAMINATION

7 BY MR. HAMSTEAD:

8 Q. Sergeant Sigulinsky, you were dispatched at
9 about 4 o'clock; correct?

10 A. Yes, sir.

11 Q. And you say you couldn't find anybody?

12 A. Right.

13 Q. Where did you go?

14 A. To your office.

15 Q. You went to the front of my office. You knew
16 where that was?

17 A. Yes, sir.

18 Q. No one there?

19 A. At 4:00 o'clock, no one in front of your
20 office, nothing what I was looking for. I was looking
21 for a disturbance. There wasn't any disturbance.

22 Q. Were there people out there?

23 A. Not there.

24 Q. Were there people nearby?